

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

VICTOR FLORES,

Defendant.
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APPEARANCES:

Michael T. Sucher, Esq.
Outside Counsel for the Government
26 Court Street, Suite 2412
Brooklyn, NY 11242

NO APPEARANCE:

Victor Flores
The Defendant

SPATT, District Judge:

On September 20, 2016, the Government commenced this action against the Defendant Victor Flores to recover the principal sum of \$8,702.96, allegedly representing the unpaid balance on a student loan.

On October 24, 2016, after the Defendant failed to answer or otherwise respond to the complaint, the Clerk of the Court noted his default.

On November 1, 2016, the Government filed a motion for a default judgment, which the Court referred to United States Magistrate Judge Gary R. Brown for a recommendation on the issues of liability and damages.

On August 30, 2017, Judge Brown issued a Report and Recommendation (the "R&R"), recommending that the motion for a default judgment be granted, and that the Government sufficiently established the following damages: (1) principal of \$9,438.87; (2) accrued interest of \$1,282.81; (3) continuing *per diem* interest of \$0.51 per day until the date judgment is entered;

ORDER
16-cv-5234 (ADS)(GRB)

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ SEP 29 2017 ★

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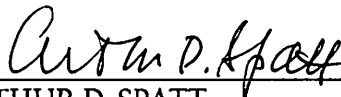
(4) costs of \$465; and (5) post-judgment interest to be calculated by the Clerk of the Court pursuant to 28 U.S.C. § 1961(a).

On September 14, 2017, counsel for the Government filed proof of service on the Defendant. More than fourteen days have elapsed since service of the R&R, and the Defendant has neither filed an objection nor requested an extension of time to do so. Therefore, pursuant to 28 U.S.C. § 636(b) and FED. R. CIV. P. 72, the Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result.

Accordingly, the August 30, 2017 Report and Recommendation is adopted in its entirety. The Clerk of the Court is respectfully directed to enter judgment in accordance with this Order, and to close this case.

It is SO ORDERED:

Dated: Central Islip, New York
September 29, 2017



ARTHUR D. SPATT
United States District Judge